

## SCHATZ & NOBEL, P.C.

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### RESUME OF SCHATZ & NOBEL, P.C.

Schatz & Nobel, P.C. is one of the premier firms engaged in class action litigation on behalf of investors alleging misrepresentations in connection with the purchase or sale of securities. We are currently lead or primary counsel in many large securities or ERISA class actions, including cases against AT&T, AOL Time Warner, JDS Uniphase, Cable & Wireless, Sprint, and Tyco International. In the securities fraud class action against Campbell Soup Company, we represented the pension funds of the State of Connecticut as lead plaintiff. We recently settled the securities fraud class action on behalf of investors in Smallworldwide plc, for over 85% of the total losses claimed by class members.

Schatz & Nobel, P.C. has been formally appointed by many courts as lead counsel or co-lead counsel for investors in securities class actions, including Papanikolaou v. Value-Added Communications, et al., No. 3-95CV0346-H (N.D. Tex.), Gorga v. Uniroyal Chemical Corporation et al., No. CV-96-0132014-S (Conn. Super.); David v. Simware, Inc. et al. No. 96/602143 (N.Y. Sup.), Butler et al. v. Northstar Health Services, Inc. et al., No. 96-701 (W.D. Pa.), Allen, et al v. Johansson, et al., 397CV02172 (RNC) (D. Conn.), Feiner v. SS&C Technologies, Inc. et al., 397CV0656 (D. Conn.), Berti, et al. v. Videolan Technologies, Inc., et al., No.3:97CV296H (W.D. Ky.), Ganino, et al v. Citizens Utilities Company, et al, No. 398CV00480 (JBA) (D. Conn.), Bunting, et al v. HealthCor Holdings, Inc., et al., No. 398CV0744-D (N.D. Tex.), Hirsch, et al. v. PSS World Medical, Inc., et al., No. 98 502 Civ. J20A (M.D. Fla.), Kenneth Blau, et al v. Douglas Murphy, et al, No. H 99 0535 (S.D. Tex.),

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Angres v. Smallworldwide plc, No. 99-K-1254 (D. Colo.), In re Complete Management, Inc. Sec. Litig., No. 99 Civ. 1454 (S.D.N.Y.), Allain Roy v. dElia\*s, Inc., et al., No. 99 Civ. 3951 (JES) (S.D.N.Y.), Russo, et al v. KTL, Inc., et al., No. 99-1780 (JAG) (D.N.J.); Laborers Local 1298 Pension Fund v. Campbell Soup Company, et al., No. 00-152 (JEI) (D.N.J.); Hart v. Internet Wire, et al., No. 00 Civ. 6571 (S.D.N.Y.), Ottmann v. Hanger Orthopedic Group, Inc., et al., Civil Action No. AW 00CV3508 (D. Md.), In re PolyMedica Corp. Sec. Litig., No. 00-12426-REK (D. Mass.), Karl L. Kapps, et al. v. Torch Offshore, Inc., et al., Case No. 02-CV-0582 (E.D. La), In re Cable and Wireless, PLC, Securities Litigation, Civil Action No. 02-1860 (E.D. Va), In re Alloy, Inc. Securities Litigation, Case No. 03-CV-1597 (S.D.N.Y.), In re Surebeam Corporation Securities Litigation, Case No. 03-CV-1721 (S.D. Cal); In re Primus Telecommunications Group, Inc. Securities Litigation, Master Case No. 04-970-A (E.D. Va.); In re Netopia Securities Litigation, Case No. C 04-3364 (N.D. Cal); and Malasky v. IAC/InterActive Corp., et al., Case No. 04-CV-7447 (S.D.N.Y.).

We have also been responsible for many important decisions which have advanced the cause of shareholder protection through the federal securities laws, including in Ganino, et al v. Citizens Utilities Company, et al, 228 F.3d 154 (2d Cir. 2000), In re Campbell Soup Securities Litigation, 145 F. Supp.2d 574 (D.N.J. 2001), In re Complete Management, Inc. Sec. Litig., 153 F.Supp. 2d 314 (S.D.N.Y. 2001), Angres v. Smallworldwide, plc, 94 F. Supp.2d 1167 (D. Colo. 2000), and Feiner v.S&C Technologies, Inc., 47 F. Supp.2d 250 (D. Conn. 1999).

In ERISA cases, Schatz & Nobel has been formally appointed as co-lead counsel in Overby v. Tyco International, Ltd., No. 02-CV-1357-B (D.N.H.); In re Reliant Energy ERISA Litigation., No. H-02-2051 (S.D. Tex.); In re AOL Time Warner, Inc. Securities and ERISA Litigation, MDL Docket No. 1500 (S.D.N.Y.); In re AEP ERISA Litigation, Case No. C2-03-67 (S.D. Ohio); Pettit v. JDS Uniphase Corporation, Civil Action No. 03-4743-CW (N.D.Cal.), and

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In re Sprint Corporation ERISA Litigation, Master File No. 2:03-cv-02202-JWL (D.Kan.); and to the Steering Committee in Tittle v. Enron Corp., No. H-01-3913 (S.D. Tex.) and In re Electronic Data Systems ERISA Litigation, 3:02-cv-1323 (E.D.Tex.). We are also class counsel on behalf of retirement plan participants in class actions in which no lead counsel has been formally appointed in Furstenau v. AT&T, Case No. 02 CV 8853 (D.N.J.). We are also responsible for the seminal decision in Vivien v. Worldcom, Civil Action No. 2-01329 (N.D.Cal.) in which the Court in denying a motion to dismiss affirmed the legal theory upon which these cases are based.

#### PARTNERS

Andrew M. Schatz is a graduate of Cornell University, with honors, and graduated from Harvard Law School (J.D., *cum laude*) in 1976. Mr. Schatz joined the Chicago firm now known as Sachnoff & Weaver, and he became a partner of that firm in 1979. While at Sachnoff & Weaver, Mr. Schatz primarily handled plaintiffs class action litigation and was involved in the prosecution of major securities class actions, including cases against Equity Funding Corp. of America and the Washington Public Power Supply System.

In 1987, Mr. Schatz joined Schatz & Schatz, Ribicoff & Kotkin in Hartford, Connecticut, where he headed that firm's corporate and securities litigation practice. While at Schatz & Schatz, Ribicoff & Kotkin, Mr. Schatz represented publicly-held corporations and their directors and officers as defendants in securities class actions, including North American Holding Corporation, Gateway Financial Corporation, Ames Department Stores and All For A Dollar.

Mr. Schatz is a member of the Securities Advisory Council to the Connecticut Department of Banking, a member of the Connecticut and American Bar Associations and a speaker on panels relating to the duties of directors of publicly held corporations.

Jeffrey S. Nobel graduated from Albany Law School in 1989, where he was Associate Editor of its Law Review. Following his graduation from law school, Mr. Nobel joined Schatz &

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Schatz, Ribicoff & Kotkin. While at Schatz & Schatz, Ribicoff & Kotkin, Mr. Nobel represented the officer defendants in the Ames Department Stores class actions and also represented corporations and their officers and directors in other federal securities fraud litigation.

Robert A. Izard, Jr., former chair of the Commercial and Business Litigation Committee of the Litigation Section of the American Bar Association, received his B.A. from Yale University and his J.D., with honors, from Emory University, where he was elected to the Order of the Coif, and was an editor of the *Emory Law Journal*. From 1987 until 2001, Mr. Izard practiced law with the firm of Robinson & Cole, primarily in the areas of securities and corporate litigation, representing issuers, brokers, law firms and underwriters in a wide range of actions under both federal and state securities laws and RICO, as well as representing shareholders and directors in proxy contests and intracorporate disputes. He has also represented clients in investigations and enforcement actions by the Securities and Exchange Commission and the State of Connecticut Department of Banking, and in various arbitration and disciplinary actions.

Mr. Izard has substantial jury and nonjury trial experience, including a seven-month jury trial in federal district court. He is experienced in various forms of alternative dispute resolution, including mediation and arbitration, and is also a Distinguished Neutral for the CPR Institute for Dispute Resolution. Mr. Izard is the author of *Lawyers and Lawsuits: A Guide to Litigation* published by Simon and Schuster.

COUNSEL

Barbara F. Wolf graduated from the University of Chicago with a B.A. with honors in Economics, and from Northwestern Law School in 1979, where she was a member of the Law Review. Formerly a partner at Sachnoff & Weaver in Chicago, Illinois, Ms. Wolf is experienced in antitrust, securities and other complex litigation.

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ASSOCIATES

William Bernarduci received a Bachelor of Science in Business Administration from Bucknell University and graduated *magna cum laude* from New York Law School in 1995, where he was a member of the *New York Law School Law Review*. Upon graduation, he served as a law clerk for the Honorable Nina Gershon, District Judge, United States District Court Eastern District of New York. Prior to joining the firm, he represented numerous clients in complex securities litigation at the New York offices of Skadden, Arps, Slate, Meagher & Flom LLP and Dornbush Mensch Mandelstam & Schaeffer, LLP. Mr. Bernarduci is admitted to the Connecticut and New York bars.

Seth R. Klein graduated *cum laude* from both Yale University and, in 1996, from the University of Michigan Law School, where he was a member of the *Michigan Law Review* and the Moot Court Board and where he was elected to the Order of the Coif. After clerking for the Hon. David M. Borden of the Connecticut Supreme Court, Mr. Klein served as an Assistant Attorney General for the State of Connecticut, where he focused on consumer protection matters, and as an associate with the reinsurance litigation group at Cadwalader, Wickersham & Taft LLP in New York.

Wayne T. Boulton is a graduate with honors of the University of Connecticut School of Law. Since graduating in 1997, Mr. Boulton has focused his practice on litigating complex commercial cases.

Justin S. Kudler graduated from Harvard University *cum laude* in Government in 1995 and from the University of Virginia School of Law in 1999, where he served as Executive Editor of *The Virginia Journal of Law and Technology*. Before joining Schatz & Nobel in 2002, Mr.

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Kudler handled securities litigation and other matters at Mintz, Levin, Cohn, Ferris, Glovsky, & Popeo, P.C. in Boston, Massachusetts.

Eric L. Palmquist graduated from Cornell Law School *magna cum laude* in 1999, where he was a member of the Cornell Law Review and was elected Order of the Coif. Before joining Schatz & Nobel in 2004, Mr. Palmquist worked at Dewey Ballantine LLP in New York and at Axinn Veltrop & Harkrider LLP in Hartford.

Nancy A. Kulesa graduated from Fordham University with a B.A. with honors in International Politics, and from the University of Connecticut School of Law in 2001. Ms. Kulesa also studied International Law at the University of London.